

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

Mary Andrus; Eleanor Archambeau; Diane)
Bonneau; Lertis Caldwell; Priscilla Cote;)
Theresa DeJoy; Laural Fankhauser; Nancy)
Kennedy; Barbara Williams; Lucinda Youell,)

Plaintiffs,)

CIVIL ACTION FILE

NO. 04-10911-GAO

v.)

Indevus Pharmaceuticals, Inc., F/K/A)
Interneuron Pharmaceuticals, Inc.; Wyeth,)
Inc., F/K/A American Home Products)
Corporation; Wyeth Pharmaceuticals, Inc.)
F/K/A Wyeth-Ayerst Pharmaceuticals, Inc., A)
Division of American Home Products)
Corporation; and Boehringer Ingelheim)
Pharmaceuticals, Inc.)

Defendants.

JOINT STIPULATION

COME NOW Plaintiffs and Defendants Wyeth and Wyeth-Ayerst Pharmaceuticals, Inc. (collectively “Wyeth”), Indevus Pharmaceuticals, Inc. (“Indevus”), and Boehringer Ingelheim Pharmaceuticals, Inc. (“Boehringer”) (collectively “Parties”). The Parties hereby stipulate as follows:

1. This Stipulation shall apply to *Andrus, et al. v. Indevus Pharmaceuticals, Inc., et. al.*, Civil Action No. 04-10911-GAO (“*Andrus*”), and to all cases listed in Exhibit A in which Sugarman, Rogers, Barshak & Cohen, P.C. (“Sugarman”) represents Plaintiffs in lawsuits against Indevus, Wyeth, and Boehringer involving the Plaintiffs’ alleged injuries caused by their ingestion of Redux. The parties request this stipulation to

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facilitate procedural efficiencies in the litigation of remand issues before this Court. All of the cases were filed by Sugarman and involve allegations of injury arising from Plaintiffs' use of Redux; Wyeth has removed or shortly will remove all of these cases to this Court; and these cases have all been coordinated for removal and remand litigation before Judge O'Toole pursuant to an Order dated May 19, 2004. This stipulation will avoid duplicative and burdensome filings in each of the cases listed in Exhibit A.

2. All Parties request that this Court enter an Order applicable to the cases listed in Exhibit A, creating a centralized docket entitled "In re Diet Drug Product Liability Litigation" with a separate docket number. Any document filed in In re Diet Drug Product Liability Litigation, including remand and stay motions and responses thereto, will be deemed filed in all cases listed in Exhibit A. The Parties shall be allowed to file supplemental pleadings and affidavits in the individual cases listed in Exhibit A as the Parties deem appropriate.

This 21st day of June, 2004.

SO ORDERED:

Hon. George A. O'Toole, Jr.

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STIPULATED AND AGREED TO BY:

/s/ Edward J. Barshak

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